

BUREAU OF AUTOMOTIVE REPAIR

SPECIFIC LANGUAGE OF PROPOSED REGULATIONS

CALIFORNIA CODE OF REGULATIONS

Title 16. Professional and Vocational Regulations

Division 33. Bureau of Automotive Repair

Chapter 1. Automotive Repair Dealers and

Official Stations and Adjusters

Article 5.5. Motor Vehicle Inspection Program

§3340.16. Test Only Station Requirements.

(a) Basic Area. A smog check test-only station operating in a basic area shall have all testing equipment and emission application and reference manuals necessary to test and/or inspect all affected vehicles, including the following:

(1) Test analyzer system in accordance with the bureau's test analyzer system specifications referenced in section 3340.16.7 (a) of this article.

(2) Ignition timing light, which measures ignition advance.

(3) Hand vacuum pump and a vacuum gauge.

(4) Basic hand tools necessary to inspect vehicle ignition, fuel delivery, and emission control systems.

(5) A device capable of retrieving trouble codes from vehicles with on-board computers, along with instructions on how to extract codes, and definitions of codes found.

(6) Fuel fillpipe restrictor dowel gauge meeting the following specifications:

(A) Made of a non-sparking material meeting the standard for hardness of aluminum alloy No. 5052 as defined in Volume 02.02 of section 2 of the 1986 Annual Book of Standards published by the American Society for Testing and Materials

(B) Having a radiused test portion

(C) Having a test portion diameter not less than 0.9375 inches nor more than 0.950 inches

(D) Having an overall length not less than 5 inches nor more than 12 inches

(E) Having a handle no less than 1.25 inches in diameter, and no less than 4 inches in length, and

(F) Constructed of solid bar stock or tubing with a minimum wall thickness of 3/16 of an inch.

(7) The most currently available emission control system application information as contained in any of the nationally distributed and periodically updated manuals that address emission control systems applications; vacuum routing diagrams for all vehicles being tested; electronic component location manuals; and specifications for those functional tests currently prescribed by the bureau.

(8) The most currently available bureau manuals and bulletins.

(9) An evaporative emission control inspection system that meets subsections (a) through (h) and (j) of section 2.8 of the emissions inspection system specifications referenced in section 3340.16.7(b).

(b) Enhanced Area. A smog check test-only station operating in an enhanced area shall have all of the equipment and materials specified by and conform to the requirements of subsection (a) above, except for subsections (a)(1) and (a)(5), and an emissions inspection system in accordance with the bureau's Emissions Inspection System Specifications referenced in section 3340.16.7 (b) of this article. A smog check test-only station operating in an enhanced area shall have a tire pressure gauge capable of accurately measuring tire pressure at the specification for the vehicles being tested and inspected using the loaded mode test procedure.

(c) A smog check test-only station shall post conspicuously, in an area frequented by ~~consumers~~ customers, a notice to the effect that the station is licensed to test vehicles only, and cannot make any required diagnosis or repairs to a vehicle which has failed a smog check test.

(d) Repairs. A smog check test-only station shall not engage in any automotive repair work.

~~(e) Referral to Providers of Motor Vehicle Repairs. No smog check test only station may refer a vehicle owner to a particular provider of motor vehicle repair services for emissions related repairs. The test only station shall make available to each customer a list prepared by the bureau of all smog check stations in that~~

~~region licensed to make repairs of vehicular emission control systems, which shall include licensed stations certified under the Gold Shield program.~~

~~(f) (e) (1)~~ A smog check test-only station shall not have ownership in, corporate interest in, nor any financial interest in a smog check test-and-repair station within a geographical radius of 50 statute miles of the test-only station.

(2) A smog check test-only station shall be separate and independent from any other automotive repair dealer. A smog check test-only station shall not be co-located within the premises of, or located at the same address as, any other automotive repair dealer.

(f) The smog check inspection price charged by test-only stations shall not be based on whether or not a vehicle was directed to the test-only station by the state.

Note: Authority cited: Sections 44002 and 44013, Health and Safety Code. Reference: Sections 44012, 44013, 44014.5 and 44015, Health and Safety Code.

§3340.16.5. Test-and-Repair Station Requirements.

(a) Basic Area. A smog check test-and-repair station operating in a basic area shall have the equipment and materials specified by, and conform to the requirements of, section 3340.16 (a) of this article and, in addition, shall have engine diagnostic equipment and repair tools that are capable of diagnosing and repairing engine ignition systems, fuel systems, emission control systems, computer engine control systems, and other related components for each vehicle type that the station works on including the following:

- (1) Ignition analyzer/oscilloscope.
- (2) Compression tester.
- (3) Tachometer/dwell meter.
- (4) Fuel pressure gauge capable of measuring the higher pressures of fuel- injected vehicles.
- (5) Propane enrichment kit.
- (6) Ammeter capable of measuring amps and milliamps.
- (7) High impedance digital volt/ohmmeter.
- (8) Hand tools necessary to adjust, maintain, and repair vehicular ignition, fuel delivery, and emission control systems.
- (9) Diagnostic and repair information for all vehicles being tested and repaired. Such information may be in printed or electronic form and may be nationally distributed and periodically updated references that contain repair and emission procedures. These references must be up to date and include current model year supplements for automobile emission control systems. Electronic references shall be provided in printed form upon request from the bureau.
- (10) The most currently available bureau test and repair manuals.
- (11) Automotive computer diagnostic and repair manuals.
- (12) Electronic component location manuals.

(13) The device noted in section 3340.16(a)(5) shall have the following additional requirements:

(A) Ability to display and store data streams from the on-board computer systems of vehicles.

(B) Be On-Board Diagnostic II compliant and bi-directional.

(b) Enhanced Area. A smog check test-and-repair station operating in an enhanced area shall have:

- (1) The equipment and materials specified by, and conform to the requirements of, subsection (a) of this section, an emissions inspection system in accordance with the bureau's Emissions Inspection System Specifications referenced in section 3340.16.7(b) of this article.
- (2) An electronic device capable of graphically displaying any electrical or electronic signal used by an automotive computer system. The device shall have the capability of displaying the electrical or electronic signal using a voltage and time scale that is adjustable. The device shall have the capability of capturing and displaying a high frequency abnormal signal, regardless of time per division setting, or screen refresh rate.

(3) A tire pressure gauge capable of accurately measuring tire pressure at the specification for the vehicles being tested and inspected using the loaded mode test procedure.

(c) A smog check test-and-repair station which has accepted a vehicle for inspection shall disclose both orally and in writing before the initial inspection of the vehicle if the vehicle is potentially affected by any of the following conditions:

- (1) The station does not have adequate equipment, personnel, tools or reference materials to repair the vehicle, should the vehicle fail its inspection; or

- (2) The station, as a matter of policy, does not repair certain types, makes or models of vehicles; or
- (3) The station, as a matter of policy, does not repair certain types of vehicle inspection failures.
- Such written disclosure shall be made on the written estimate provided pursuant to section 9884.9 of the Business and Professions Code.
- (d) (1) A smog check test-and-repair station shall not have ownership in, corporate interest in, nor any financial interest in a smog check test-only station within a geographical radius of 50 statute miles of the test-and-repair station.
- (2) A smog check test-and-repair station shall not be co-located within the premises of, or located at the same address as, a licensed test-only station.

Note: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44012 and 44036(b), Health and Safety Code.

§3340.22.1 Smog Check Station Service Signs

- (a) Separate sign requirements shall apply to the following types of stations that provide smog check program services:
- (1) Smog check test-only stations
- (2) Smog check stations which only inspect and/or repair heavy-duty vehicles.
- (3) Smog check stations which do not inspect and/or repair heavy-duty vehicles.
- ~~(4) Smog check station — basic area.~~
- ~~(5) Smog check station — enhanced area.~~
- (b) The service signs required by subdivision (a) shall be made of 0.040 aluminum or steel stock and shall be 24 inches wide and 8 inches high. Camera-ready design and content of required signs are available from the bureau upon request.
- (c) Service signs shall be securely attached to the bottom of or immediately below the smog check station signs required by section 3340.22 of this article. Attachment shall be by ring, hook, bracket, or similar device.

Note: Authority cited: Section 44002, Health and Safety Code Reference: Sections 44033(a) and 44045.5, Health and Safety Code.

§3340.22.2 Smog Check Station Repair Cost Limit Sign

- (a) The sign required by Section 44017.3 of the Health and Safety Code shall be provided by the bureau and shall have the following dimensions and specifications.
- (1) Sign shall be 22 inches wide and 16 inches ~~long~~ high.
- (2) Sign shall be in black typeface on white background.
- (3) Sign wording and point size shall be as supplied by the bureau.
- (4) Typeface shall be bookman.
- (b) If a sign no longer meets the outlined specifications or is no longer readily legible, it will be replaced by the bureau.

Note: Authority cited: Sections 44002 and 44017.3, Health and Safety Code.
Reference: Section 44017.3, Health and Safety Code.

§3340.28. Licenses and Qualifications for Technicians.

- (a) There are the following technician licenses in the Smog Check Program:
- ~~(1) Class U Technician. The Class U Technician license allows an individual to test, inspect, adjust, diagnose, repair and certify the emissions control systems on all vehicles subject to the smog check program. The Class U Technician license is being phased out of the Smog Check Program. An initial Class U Technician license will not be issued and current Class U Technician licenses are not renewable.~~
- ~~(1)~~ (2) Intern Technician. The Intern Technician license allows an individual, under the direction of a supervising technician, to perform repairs or adjustments to the emissions control systems on vehicles subject to the smog check program at smog check stations in all areas of the state. The Intern Technician license expires in two years, is nonrenewable and shall be issued to an individual only once.
- ~~(2)~~ (3) Basic Area Technician. The Basic Area Technician license allows an individual to inspect, diagnose, adjust, repair and certify the emissions control systems on vehicles subject to the smog check program at

smog check stations in areas of the state designated as basic vehicle inspection and maintenance program areas. The Basic Area Technician license expires pursuant to the requirements in subsection (e) of section 3340.29 of this Article.

~~(3)~~ (4) Advanced Emission Specialist Technician. The Advanced Emission Specialist Technician license allows an individual to inspect, diagnose, adjust, repair and certify the emissions control systems on vehicles subject to the smog check program at smog check stations in all areas of the state. The Advanced Emission Specialist Technician license expires pursuant to the requirements in subsection (e) of section 3340.29 of this Article.

(b) Qualifications. The qualifications to take an examination for technician licenses are as follows:

(1) Intern Technician License. The Intern Technician license does not require an examination. To qualify for the Intern Technician license, the applicant must provide proof of successful completion of the bureau's Basic ~~or Advanced~~ Clean Air Car Course. The qualification to take the Basic ~~or Advanced~~ Clean Air Car Course is:

~~(A) One year of automotive experience or equivalent automotive training courses in the engine performance area, as determined by the bureau certified course instructor, or~~

~~(B) Completion of nine semester units, or 13 quarter units, or 180 hours of engine performance related automotive training courses from a state accredited or recognized college, public school, or trade school, or~~

~~(C) Six months of automotive experience in the engine performance area, and 5 semester units, or 7 quarter units, or 90 hours of engine performance related automotive training courses from a state accredited or recognized college, public school, or trade school, or~~

~~(D) Possession of an Associate of Arts or Associate of Science degree in Automotive Technology from a state accredited or recognized college, public school, or trade school, or~~

~~(E) Possession of a certificate in automotive technology from a state accredited or recognized college, public school, or trade school. Coursework must be a minimum of 360 hours in the engine performance area.~~

(2) Basic Area Technician License. The Basic Area Technician license requires an examination. The qualifications to take the examination for the Basic Area Technician license are:

(A) Education and Experience. The applicant must provide proof of:

~~1. four years of verifiable experience in the vehicle engine performance area, or~~

~~1. 2. possession of a valid and unexpired Intern Technician License and one year of experience in the vehicle engine performance area completed after obtaining the as a licensed Intern Technician License, or~~

~~3. possession of an Associate of Arts or Associate of Science degree in Automotive Technology from a state accredited or recognized college, public school, or trade school, and the successful completion of the bureau's Basic or Advanced Clean Air Car Course, or~~

~~4. possession of a certificate in automotive technology from a state accredited or recognized college, public school, or trade school with a minimum of 360 hours of coursework in the engine performance area, and the successful completion of the bureau's Basic or Advanced Clean Air Car Course, or~~

~~2. Successful completion within the last twelve months of the bureau's Basic Clean Air Car Course. The qualifications to take the Basic Clean Air Car Course are one year of automotive experience or equivalent automotive training courses in the engine performance area, as determined by the bureau certified course instructor, or~~

~~3. 5. Possession of a valid and unexpired Basic Area or Advanced Emission Specialist smog check technician's license other than an Intern Technician license.~~

(B) Certification.

(1) The applicant must provide satisfactory evidence of unexpired certification in the categories of Electrical/Electronic Systems (A6), and Engine Performance (A8), and Advanced Engine Performance Specialist (L1). Certification may be from the National Institute for Automotive Excellence, or ~~from~~

~~(2) The applicant must provide satisfactory evidence of completion of a training program approved by the bureau as meeting the requirements of section 44045.6 of the Health and Safety Code. The training program must have been completed within the last five years.~~

(C) Update Training. An applicant for an initial license or renewal of a license must provide proof of successful completion of bureau certified update training courses. Update training courses provide training on new automotive technology that effects emission testing and/or repairs. Update training need not exceed 20 hours. Technicians may take a challenge test in lieu of taking the course, at the bureau's discretion. Technicians who elect to take the challenge test shall take it at a bureau certified training institution that is certified to provide that update training course. Information regarding update training courses will be

available through a bureau 800 telephone number published in the technician license renewal notice and the smog check technician application.

(3) Advanced Emission Specialist Technician License. The Advanced Emission Specialist Technician license requires an examination. The qualifications to take the examination for the Advanced Emission Specialist Technician license are:

(A) Education and Experience. The applicant must provide proof of:

~~(1) four years of verifiable experience in the vehicle engine performance area, or~~

~~(1) (2) successful completion of the bureau's Advanced Clean Air Car Course, possession of a current Intern Technician license, and one year of experience in the vehicle engine performance area completed after obtaining the as a licensed Intern Technician License, or~~

~~(3) successful completion of the bureau's Advanced Clean Air Car Course and possession of an Associate of Arts or Associate of Science degree in Automotive Technology from a state accredited or recognized college, public school, or trade school, or~~

~~(4) successful completion of the bureau's Advanced Clean Air Car Course and possession of a certificate in automotive technology from a state accredited or recognized college, public school, or trade school with a minimum of 360 hours of coursework in the engine performance area, or~~

(2) Successful completion within the last twelve months of the bureau's Basic and Advanced Clean Air Car Courses. The applicant may qualify to take the Basic Clean Air Car Course by demonstrating one year of automotive experience or equivalent automotive training courses in the engine performance area, as determined by a bureau certified instructor. The applicant may qualify to take the Advanced Clean Air Car Course by successful completion of the Basic Clean Air Car Course within the last twelve months, or
~~(3) (5) possession of a valid and unexpired Basic Area Technician License-smog check technician's license other than an Intern Technician license. , and successful completion of the Advanced Clean Air Car Course within the last twelve months, or~~

(1) possession of a valid and unexpired Advanced Emission Specialist Technician License.

(B) Certification. (1)The applicant must provide satisfactory evidence of certification in the categories of Electrical/Electronic Systems (A6), Engine Performance (A8) and Advanced Engine Performance Specialist (L1). Certification may be from the National Institute for Automotive Excellence, or from

(2) the applicant must provide satisfactory evidence of completion of a training program approved by the bureau as meeting the requirements of section 44045.6 of the Health and Safety Code. The training program must have been completed within the last five years.

(C) Update Training. An applicant for an initial license or renewal of a license must provide proof of successful completion of bureau certified update training courses. Update training courses provide training on new automotive technology that effects emission testing and/or repairs. Update training need not exceed 20 hours. Technicians may take a challenge test in lieu of taking the course, at the bureau's discretion. Technicians who elect to take the challenge test shall take it at a bureau certified training institution that is certified to provide that update training course. Information regarding update training courses will be available through a bureau 800 telephone number published in the technician license renewal notice and the smog check technician application.

(4) Optional Endorsement for Gaseous Fuels. An optional endorsement to test and repair vehicles powered by gaseous fuel, either solely or in combination with gasoline, is available for the Basic Area Technician and Advanced Emission Specialist Technician licenses.

(A) An individual wishing to have his/her license endorsed to test and repair vehicles powered by gaseous fuels, either solely or in combination with gasoline, must submit satisfactory evidence of certification in the certification category of Light Vehicle Compressed Natural Gas (F1). Certification may be from the National Institute for Automotive Service Excellence or from completion of a training program approved by the bureau as meeting the requirements of section 44045.6 of the Health and Safety Code.

(B) The endorsement for gaseous fuels shall be accomplished pursuant to the requirements of subsection (d) of section 3340.29 of this Article.

Note: Authority cited: Sections 44002 and 44014(c), Health and Safety Code.

Reference: Section 44014(c) and 44045.5, Health and Safety Code.

§3340.29. Licensing of Technicians.

(a) Application and Fee. An applicant for a license as a technician shall submit an application with appropriate documents to the bureau on form T-6 (6-96 10-99), "Application for Smog Check Technician License," together with an application fee of \$20.00. An application shall be rejected, and the fee shall not be refunded, if the applicant fails to include all required documentation, or complete all questions regarding the applicant's background, or otherwise fails to submit a complete original application. The applicant shall submit a new application with appropriate documents and an application fee of \$20.00 when an application has been rejected for failure to file a complete application.

(b) Examination and Fee. An applicant for a technician license shall be subject to the following requirements:

(1) An applicant for a technician license shall pay a \$65 examination fee and successfully complete the appropriate technician examination in order to receive a technician's license.

(2) An applicant that receives a notice of qualification to take an examination, pursuant to section 3303.2 of this Article, and does not meet the requirements of subsections (b)(2) of this section, shall take the appropriate technician examination within 90 days of receipt of notification of qualification to take the examination, or shall again submit an application to the bureau, pay an application fee of \$20, pay a \$65 examination fee, and successfully complete the appropriate technician examination.

(3) A qualified applicant who fails an examination may take another examination and shall again submit an application to the bureau, pay an application fee of \$20, pay a \$65 examination fee, and successfully complete the appropriate technician examination.

(c) Initial Application Review. An initial application shall be subject to the review procedures specified in section 3303.2. of Article 1 of this Chapter.

(d) Endorsement of License for Gaseous Fuels. A technician license, except for the Intern license, shall be endorsed for gaseous fuels as follows:

(1) An individual submitting an application for an initial technician license or renewal of a technician license, may have the license endorsed for gaseous fuels by requesting the endorsement on the application and providing proof of qualification pursuant to subsection (d)(4) of section 3340.28.

(2) An individual may have an existing license endorsed for gaseous fuels by submitting a letter to the bureau requesting the endorsement be added to his/her existing license, and providing proof of qualification pursuant to subsection (d)(4) of section 3340.28.

(e) Expiration of License. A technician's license shall expire ~~at the end~~ on the last day of the month in which the second birthday of the technician occurs after the date of issuance of the license. Initial license expiration dates are calculated from the date the department is notified that an applicant has passed the licensing examination. Once a license has been issued that expires in the birth month, ~~all~~ subsequent renewal licenses will expire ~~at the end~~ on the last day of the birth month, two years later. Withholding a license for enforcement purposes, or issuance of a temporary license due to family support obligations, does not change the expiration date as calculated above.

(f) Renewal of Technician License. To renew a license, the technician shall submit a ~~timely and~~ complete application with the appropriate documents to the bureau prior to the expiration date on the current license on form T-6 (6-96 10-99), "Application for Renewal of Smog Check Technician License," pay a renewal application fee of \$20, pay a \$65 examination fee, and successfully complete the appropriate technician examination. ~~A delinquency fee of \$25 shall be assessed if the application is submitted after the license has expired. A technician holding a Class U Technician license that expired after December 31, 1995, may not apply for renewal of that license. The technician shall apply for a Basic Area Technician or Advanced Emissions Specialist Technician license on or before the expiration of the Class U license.~~

Note: Authority cited: Sections 44002, 44013(b), 44016, 44031.5 and 44034, Health and Safety Code; and Section 163.5, Business and Professions Code. Reference: Sections 44012, 44015(a) and (b), 44030(a), 44031.5, 44032, 44034, 44034.1, 44035, 44045.5 and 44045.6, Health and Safety Code.

§3340.32. Standards for; the Certification of Institutions Providing Retraining to Licensed Technicians or Prerequisite Training to Those Seeking to Become Licensed Technicians.

(a) An institution providing prerequisite training under subdivisions (a) and (b) of Section 44045.6 of the Health and Safety Code to those seeking to become licensed technicians, or providing retraining to licensed technicians cited under the provisions of subdivision (c) of Section 44045.6 of the Health and Safety Code, or providing retraining to licensed technicians cited under the provisions of subdivision (b) of Section 44050 of the Health and Safety Code, or providing retraining to licensed technicians under the provisions

of subdivision (b) of Section 44031.5 of the Health and Safety Code must be certified by the bureau prior to providing such training or retraining.

(b) Training Courses. A school may be certified to instruct one or more of the following smog technician training courses:

(1) Basic Smog Technician Courses. The Basic Smog Technician courses consist of the Basic Clean Air Car Course, the Citation Retraining Course for Basic Area Technicians, the Bureau Training Program, and the Update Training for Basic Area Technicians.

(2) Advanced Smog Technician Courses. The Advanced Smog Technician courses consist of the Advanced Clean Air Car Course, the BAR 97 Transition Course the Citation Retraining Course for Advanced Emission Specialist Technicians, the Bureau Training Program, and the Update Training Course for Advanced Emission Specialist Technicians.

(c) Application. To become certified, an institution shall submit an application to the bureau on form TS-1(~~6-96~~ 10-99), "Application to Become a BAR Certified Educational Institution."

(d) Initial Application Review. An initial application shall be subject to the review procedures specified in section 3303.2 of Article 1 of this Chapter.

(e) Applicants Requirements. An applicant shall meet the following requirements:

(1) General. All institutions wishing to be certified to offer training to qualify an individual for a technician license shall provide satisfactory evidence of:

(A) Approval from the ~~state's Council~~ Department's Bureau for Private Postsecondary and Vocational Education, if applicable. Such approval shall remain current at all times.

(B) Possession of current course materials.

(C) Lecture and shop facilities sufficient to adequately train all participating students.

(D) Instructors certified by the bureau pursuant to section 3340.33 of this article to offer instruction.

(E) Having functional access to a bureau designated website and having an electronic mail address where the institution can receive electronic information from, and send electronic information to the bureau.

(2) Equipment, Tools and Materials for Basic Smog Technician Courses. An institution wishing to be certified to offer Basic Smog Technician courses shall have the following tools and materials in quantities sufficient to adequately train all participating students:

(A) A test analyzer system in accordance with the bureau's test analyzer system specifications referenced in section 3340.16.7(a) of this article.

(B) An engine performance analyzer containing an electronic device capable of displaying and printing diagnostic information related to the engine ignition and fuel systems of the vehicle being tested.

(C) A tachometer/dwell meter.

(D) An ignition timing light which measures ignition advance.

(E) A hand vacuum pump, and a vacuum gauge.

(F) An ammeter capable of measuring amps and milliamps.

(G) A digital volt/ohm meter.

(H) A compression tester.

(I) Current emission control service manuals and systems application guides.

(J) Automotive computer diagnostic and repair manuals.

(K) Electronic component location manuals

(L) Hand tools necessary to inspect, adjust, maintain, and repair vehicular ignition, fuel delivery, and emission control systems.

(M) Audio-visual equipment sufficient to adequately present the required course material.

(N) A diagnostic device capable of retrieving diagnostic trouble codes, interpreting codes, and displaying and storing data streams from the on-board computer systems of vehicles. Diagnostic data modules required to operate the device shall be kept updated to the current available calendar year. The device shall be On-Board Diagnostic II compliant and bi-directional.

(O) A fuel pressure gauge capable of measuring the higher pressures of fuel-injected vehicles.

(P) A propane enrichment kit.

(Q) Fuel fillpipe restrictor dowel gauge meeting the following specifications:

1. Made of a non-sparking material meeting the standard for hardness of aluminum alloy No. 5052 as defined in Volume 02.02 of section 2 of the 1986 Annual Book of Standards published by the American Society for Testing and Materials.

2. Having a ~~rounded~~ radiused test portion.

3. Having a test portion diameter not less than 0.9375 inches nor more than 0.950 inches

4. Having an overall length not less than 5 inches nor more than 12 inches
5. Having a handle no less than 1.25 inches in diameter, and no less than 4 inches in length, and
6. Constricted of solid bar stock or tubing with a minimum wall thickness of 3/16 of an inch.

(R) The currently available bureau manuals and bulletins.

(S) A minimum of five one operational ~~shop demonstration~~ vehicles, or stationary engine per every four students attending a course listed on the application to the bureau, must be available and must be used for demonstration and student laboratory assignments involving ~~of~~ testing, diagnosis and repair procedures. The vehicles or stationary engine must be appropriate to the demonstration or laboratory assignment ~~must be of the 1982 or newer model year and have different computer controlled engine/emission control configurations~~. At least one demonstration vehicle must be owned, rented or leased by the institution. A Demonstration vehicles and stationary engines must be fully operational stationary engine with computer-controlled emission control systems may be substituted for one of the listed vehicles. Changes to the vehicle list must be reported to the bureau in writing within 5 days of such changes.

(3) Equipment, Tools and Materials for Advanced Smog Technician Courses. An institution wishing to be certified to offer Advanced Smog Technician courses shall, in addition to the equipment required by subsection (e)(2) of this section, have the following equipment:

(A) An emissions inspection system in accordance with the bureau's emissions inspection system specifications referenced in section 3340.16.7(b) of this article.

(B) An evaporative emission control test system approved by the bureau for use in an enhanced program area.

(C) An electronic device capable of graphically displaying any electrical or electronic signal used by an automotive computer system. The device shall have the capability of displaying the electrical or electronic signal using a voltage and time scale that is adjustable. The device shall have the capability of capturing and displaying a high frequency abnormal signal, regardless of time per division setting, or screen refresh rate.

(f) Institutional certification by the bureau shall ~~be for a not exceed one-year period from the date of certification~~. Institutions shall renew their certification electronically using form TS-1 (10-99), "Application To Become A Bureau Certified Training Institution" located at a bureau designated internet website.

(g) An institution certified shall:

(1) Maintain adequate lecture and shop facilities, sufficient tools and materials, and current course

materials.

(2) Identify in writing to all potential students the level of certification training the institution will provide and any limitations to this training applicable to obtaining a technician license. This written disclosure shall be presented to students no later than their first class meeting.

(3) Provide competent instruction to students, including lab exercises and hands-on work.

(4) Advise prospective students of the automotive mechanical experience and automotive mechanical course-work requirements at the time of application.

(5) Evaluate applications to verify that the applicant meets the applicable qualification requirements specified in subsection (b) of section 3340.28 of this article.

(6) Instruct a maximum of twenty-five students per instructor at any one time.

(7) Allow the bureau or authorized representatives reasonable access during normal business hours to training records and facilities.

(8) Report to the bureau on form TS-5 ~~(4-89)~~ (10-99), "Certified Institution's Training Completion Record" the number of students receiving training or retraining courses prescribed by the bureau, the names of those students successfully completing training or retraining courses, and in the case of students taking retraining courses pursuant to section 3340.31 of this article, the names of those failing to complete such retraining courses. Reporting shall be performed electronically using form TS-5 (10-99), "Certified Institution's Training Record" located at a bureau designated internet website.

(9) Have available for students the current year editions of all required vehicle reference and repair manuals, in electronic or print media.

(10) Have available for students the current operating instructions for all training aids and automotive test equipment.

- (11) Have available for students an adequate number and variety of training aids such as demonstration engines, carburetors, and emission control devices, in order to meet student training needs and to ensure proper understanding of the course content and laboratory assignments.
- (h) Pursuant to section 44045.5 of the Health and Safety Code, an institution may be certified to instruct the Bureau Training Program to meet the prerequisite for licensure, as follows
- (1) The institution shall use training materials, course-work, and examinations developed by a bureau approved publisher.
 - (2) The institution shall obtain all training materials, course-work, and examinations from a bureau approved publisher. Failure to use training materials, course-work, or examinations developed by a bureau approved publisher may result in the disapproval of the training program or decertification of the institution.
 - (3) The institution's administration of examinations shall meet bureau standards, as outlined in the "Bureau Training Program Standards" (3-95), herein incorporated by reference, and meet or exceed all statutory requirements and federal and state standards regarding examination development. Failure to meet bureau standards, as outlined in the "Bureau Training Program Standards" (3-95), and meet or exceed all statutory requirements and federal and state standards regarding examination development, may result in the disapproval of the training program or decertification of the institution.
 - (4) The institution shall instruct the training program in accordance with the requirements outlined in the "Bureau Training Program Standards" (3-95). Failure to provide instruction that meets the requirements outlined in the "Bureau Training Program Standards" (3-95) may result in the disapproval of the training program or decertification of the institution.
 - (5) The bureau reserves the right to review and recommend changes to an institution's methods of instruction and/or administration of examinations. Failure to comply with the bureau's recommended changes to an institution's methods of instruction and/or administration of examinations may result in the disapproval of the training program or decertification of the institution.

Note: Authority cited: Section 44002, Health and Safety Code Reference: Sections 44030.5, 44031.5(b), 44045.6 and 44050, Health and Safety Code. Professions Code; and Section 11500, et. seq., Government Code.

§3340.33. Standards for the Certification of Basic and Advanced Instructors Providing Retraining to Intern, Basic Area, and Advanced Emission Specialist Licensed Technicians or Prerequisite Training to Those Seeking to Become Intern, Basic Area, or Advanced Emission Specialist Licensed Technicians.

(a) There are the following instructor certification categories in the smog check program:

(1) ~~(a)~~ Basic Instructor. An instructor providing Basic smog technician courses, or prerequisite training to those seeking to become Intern, or Basic Area licensed technicians, or providing retraining to Intern, or Basic Area technicians cited under the provisions of subdivision (b) of Section 44050 of the Health and Safety Code, or providing retraining to Intern, or Basic Area licensed technicians under provision of subdivision (b) of Section 44031.5 of the Health and Safety Code, or providing retraining to Intern, or Basic Area licensed technicians under Subdivision (c) of Section 44045.6 of the Health and Safety Code, A Basic instructor must have certification from the bureau prior to providing such training or retraining.

(2) Advanced Instructor. An instructor providing Advanced Smog Technician Courses, or prerequisite training to those seeking to become Intern, Basic Area, or Advanced Emission Specialist licensed technicians, or providing retraining to Intern, Basic Area, or Advanced Emission Specialist licensed technicians cited under the provisions of Subdivision (b) of Section 44050 of the Health and Safety Code, or providing retraining to Intern, Basic Area, or Advanced Emission Specialist licensed technicians under Subdivision (c) of Section 44045.6 of the Health and Safety Code. An Advanced Instructor must have certification from the bureau prior to providing such training or retraining.

~~(b) Application. To become certified an individual shall submit an application to the bureau on form TS-2 (6-96), "Application To become a Certified Instructor."~~

(b) Application.

(1) To become certified as a Basic instructor, an individual shall submit an application to the bureau on form TS-2 (10-99), "An Application To Become a Certified Basic Instructor."

(2) To become certified as an Advanced instructor, an individual shall submit an application to the bureau on form TS-3 (10-99) "Application To Become a Bureau Certified Advanced Instructor."

(c) Initial Application Review. An initial application shall be subject to the review procedures specified in section 3303.2. of Article 1 of this Chapter.

(d) Applicant Criteria. ~~An applicant to be certified as an instructor shall:~~

~~(1) An applicant to be certified as a Basic Instructor shall:~~

~~(1) (A) Be licensed by the bureau as an Advanced Emission Specialist Technician or Class U Technician.~~

~~(2) (B) Possess current certification from the National Institute for Automotive Service Excellence in the certification categories of Electrical/Electronic Systems (A6), Engine Performance (A8), and Advanced Engine Performance Specialist (L1).~~

~~(3) (C) Meet at least one of the following criteria:~~

~~(1) Possess a current credential recognized by the State Department of Education in the field of automotive technology; or~~

~~(2) Meet the current California Community College eligibility requirements for a credential in the field of automotive technology; or~~

~~(3) Possess an automotive-related degree or credential, or other qualifying experience, which the bureau determines, upon the petition of the applicant, to be substantially equivalent to a California Community College's instructor's credential or a credential recognized by the State Department of Education, in the field of automotive technology.~~

~~(D) Having functional access to a bureau designated website and having an electronic mail address where the instructor can receive electronic information from, and send electronic information to the bureau.~~

~~(2) An applicant to be certified as an Advanced Instructor shall:~~

~~(A) Be currently certified as a Basic Instructor.~~

~~(B) Complete an Advanced Instructor training course prescribed by the bureau. Advanced Instructor training need not exceed 40 hours.~~

(1) An individual submitting an application for initial certification as an instructor or renewal of certification as a instructor, may have the certification endorsed to instruct a gaseous fuels course by requesting the endorsement on the application and providing proof of qualification pursuant to subsection (f) of this section.

(2) An individual may have an existing certification endorsed to instruct a gaseous fuels course by submitting a letter to the bureau requesting the endorsement be added to his/her existing certification and providing proof of qualification pursuant to subsection (e) of this section.

(e) Optional Endorsement for Gaseous Fuels. An optional endorsement to instruct a gaseous fuel course is available for a certified instructor with an Advanced Emission Specialist Technician ~~or Class U Technician~~ license endorsed to test and repair vehicles powered by gaseous fuels, either solely or in combination with gasoline.

(f) Instructor certification by the bureau shall ~~be for a not exceed one-year period from date of certification.~~ Instructors shall renew their certification electronically using a form TS-4 (10-99) "Bureau Certified Instructor Renewal Application" located at a bureau designated website.

(g) Certified Basic or Advanced instructors may be required to complete training on new automotive technology, as prescribed by the bureau, in order to instruct update training courses. Failure to successfully complete bureau prescribed training on new automotive technology may result in grounds for decertification or denial of certification, pursuant to section 3340.33.1 of this Article.

(h) Certification Renewal. To renew certification as ~~an~~ a Basic or Advanced instructor, an individual shall be subject again to the requirements of subsections (b), (c), and (d) of this section.

Note: Authority cited: Section 44002, Health and Safety Code.

Reference: Sections 44030.5, 44031.5(b), 44045.6 and 44050, Health and Safety Code.

§3340.41. Inspection/Test /Repair Requirements.

(a) A licensed station shall give a copy of the test report printed from the test analyzer system to the customer. The report shall be attached to the customer's invoice.

(b) No person shall enter into the test analyzer system any access or qualification number other than as authorized by the bureau, nor in any way tamper with the test analyzer system.

(c) No person shall enter into the test analyzer system any vehicle identification information or emission control system identification data for any vehicle other than the one being tested. Nor shall any person knowingly enter into the test analyzer system any false information about the vehicle being tested.

(d) The specifications and procedures required by Section 44016 of the Health and Safety Code shall be the vehicle manufacturer's recommended procedures for emission problem diagnosis and repair or the emission diagnosis and repair procedures found in industry-standard reference manuals and periodicals published by nationally recognized repair information providers. Smog check stations and smog check technicians shall, at a minimum, follow the applicable specifications and procedures when diagnosing defects or performing repairs for vehicles that fail a smog check test.

(e) Smog check stations and smog check technicians shall follow all procedures and comply with all requirements specified in the bureau's "Smog Check Inspection Manual" (10-99).

(f) Smog check test-only stations shall not refer a vehicle owner to a particular provider of smog check repair services. Test-only stations shall make available to each customer a list prepared by the bureau of those smog check stations in that region licensed to make repairs of vehicular emission control systems, which shall include licensed stations certified under the Gold Shield Program. Stations are prohibited from altering or revising the list supplied by the bureau.

(g) Smog check test-and-repair stations shall make available to customers a list, prepared by the bureau, of smog check test-only stations. Stations are prohibited from altering or revising the list supplied by the bureau.

(h) The smog check inspection price charged by stations shall not be contingent on the results of the smog check inspection.

Note: Authority cited: Section 44002, Health and Safety Code.

Reference: Sections 44012, 44016 and 44036(a) and (b), Health and Safety Code